

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

JERROLD R. RENTNER,

Plaintiff,

v.

ANDREW SAUL,
Commissioner of Social Security,

Defendant.

ORDER

17-cv-9-bbc

On July 3, 2019, I approved a representative fee award of \$17,177.75 to Curtiss Lein, plaintiff Jerrold R. Renter's counsel, pursuant to 42 U.S.C. § 406(b). Dkt. #21. The fee was to be paid to Lein out of the statutory fee withheld from plaintiff's past-due benefits. In the same order, I directed Lein to return to plaintiff the \$3,815.06 in fees that had been awarded under the Equal Access to Justice Act.

Now before the court is plaintiff's motion requesting clarification regarding the attorney fees paid to Lein. Dkt. #22. Plaintiff states that Lein made plaintiff pay the full \$17,177.75 from his past-due benefits, even though the Social Security Administration had paid Lein \$9,000 in fees already. Plaintiff does not appear to seek any particular relief, beyond asking the court to explain why he had to pay Lein directly.

Lein has responded, attaching documents from the Social Security Administration showing that the agency mistakenly released to plaintiff the statutory fee that had been withheld from plaintiff's past-due benefits for paying Lein. Dkt. #23-2. The agency's notified plaintiff that plaintiff would have to pay his representative directly. Id. Lein also submitted a document showing that plaintiff's bank paid Lein \$13,362.89, which is the \$17,177.75 award minus the

EAJA fees of \$3,815.06. Dkt. #23-4. Finally, the record shows that Lein recovered \$9,000 from work done at the agency level, and that the \$17,177.75 was for work done in this court. Dkt. #23-1. All of these documents show that Lein's request for payment from plaintiff directly was appropriate, and that Lein has now been paid in full.

ORDER

IT IS ORDERED that plaintiff Jerrold R. Renter's motion for clarification, dkt. #21, is GRANTED. As explained, plaintiff's attorney, Curtiss Lein, has received all of the attorney fees that he is owed for his work on this case.

Entered this 7th day of October, 2020.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge